

Ms. MOORE. Mr. Chair, I yield the balance of my time to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chair, I thank the gentlewoman from Wisconsin (Ms. MOORE), and I rise in full support of her amendment, but I join Ranking Member PETERSON in his opposition of the bill before us.

Although reauthorization of the Commodity Exchange Act is an important endeavor, this legislation rolls back critical Dodd-Frank reforms and places unnecessary restrictions on the Commodity Futures Trading Commission. The changes proposed in this underlying bill would stifle the Commission's capacities to respond to a rapidly changing market and would add unneeded layers of government bureaucracy.

The underlying bill, H.R. 2289, threatens the financial stability of hard-working Americans by encouraging the same type of risky behavior that led to the recession just 7 years ago.

I urge my colleagues to join me in supporting the Moore amendment. However, I urge my colleagues to use great caution and join me in voting against the underlying bill.

Ms. MOORE. Mr. Chair, I yield back the balance of my time.

Mr. CRAWFORD. I yield 1 minute to the gentleman from Texas (Mr. CONAWAY), the distinguished chairman of the full committee.

Mr. CONAWAY. Mr. Chair, I don't oppose the amendment. It does improve the bill. We appreciate that. I am looking forward to supporting the amendment. I would also expect support on the underlying bill itself.

We have had a good discussion on why this bill is the right answer, bringing the right relief to the right people at the right time and does not do the things that have been spoken of in terms of rolling back Dodd-Frank.

This is a very light touch on Dodd-Frank, and it improves a bill that I don't think anybody would argue is perfect, but maybe they do argue that Dodd-Frank is perfect. I don't think it is perfect, and it does need these light touches.

Mr. CRAWFORD. Mr. Chair, I thank the chairman. I would urge adoption of the amendment, as well as support of the underlying bill.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MRS. WALORSKI

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114-136.

Mrs. WALORSKI. Mr. Chairman, I have an amendment made in order by the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 24, line 2, strike "and".

Page 24, line 4, strike the period and insert "and".

Page 24, after line 4, insert the following:

(3) the status of consultations with all United States market participants including major producers and consumers.

The CHAIR. Pursuant to House Resolution 288, the gentlewoman from Indiana (Mrs. WALORSKI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Indiana.

Mrs. WALORSKI. Mr. Chairman, I would like to thank Congressman GOODLATTE and Chairman CONAWAY for their continued leadership in support of my amendment.

My amendment today would encourage the CFTC to keep both U.S. producers and users of aluminum firmly in mind as they proceed in their work. We might take it for granted, but aluminum is part of our everyday life. It is used in everything from food packaging to commercial buildings and homes to automotive and air transportation.

In my home State of Indiana, aluminum is home to 10,000 industry jobs that account for over \$5 billion in economic activity every year. About 1,800 of those workers are employed at an integrated facility in southern Indiana that boasts the largest operating smelter in the United States and is one of eight still in use in the country.

My amendment would require the CFTC provide this body with an update of the status of its consultations with U.S. producers and consumers of aluminum. To better protect the thousands of workers in my district and businesses and consumers across the country, we must ensure the CFTC is operating in a transparent manner where the rules are designed to help fair and open price discovery.

It is imperative that everyone who participates in the physical aluminum market have confidence in the system, and my amendment will ensure the protection of our workers, businesses, and consumers.

I ask my colleagues to join me in support of my amendment.

I reserve the balance of my time.

The CHAIR. Does any Member claim time in opposition? If not, the gentlewoman from Indiana is recognized.

Mrs. WALORSKI. Mr. Chair, may I inquire how much time I have remaining?

The CHAIR. The gentlewoman from Indiana has 3½ minutes remaining.

Mrs. WALORSKI. Mr. Chair, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chair, I thank the gentlewoman for yielding me the time.

As someone who has worked very hard to ensure that this CFTC reauthorization process is transparent for commodity purchasers, users, and the markets that facilitate these transactions, I was pleased to work with Mrs. WALORSKI on her amendment to bring further transparency and open-

ness to the issue of aluminum warehousing.

Her amendment would clarify that the bill's required report on the status of any application of metal exchange to register as a foreign board of trade should also include the status of consultations with all U.S. market participants, including major producers and consumers.

I applaud her for offering this targeted amendment to improve the underlying legislation and help everyone in the aluminum market have the best information possible to strengthen aluminum supplies and bring the best cost for consumers, helping to create jobs and grow our economy.

I support her amendment.

Mrs. WALORSKI. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Indiana (Mrs. WALORSKI).

The amendment was agreed to.

Mr. CONAWAY. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAMALFA) having assumed the chair, Mr. SIMPSON, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, had come to no resolution thereon.

PERMISSION TO CONSIDER AMENDMENTS OUT OF SEQUENCE DURING FURTHER CONSIDERATION OF H.R. 2289, COMMODITY END-USER RELIEF ACT

Ms. PLASKETT. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 2289, pursuant to House Resolution 288, amendment Nos. 2 and 3 printed in House Report 114-136 may be considered out of sequence.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

COMMODITY END-USER RELIEF ACT

The SPEAKER pro tempore. Pursuant to House Resolution 288 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2289.

Will the gentleman from Idaho (Mr. SIMPSON) kindly resume the chair.

□ 1630

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the further consideration of the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole House rose earlier today, amendment No. 5 printed in House Report 114-136 offered by the gentleman from Indiana (Mrs. WALORSKI) had been disposed of.

AMENDMENT NO. 2 OFFERED BY MS. PLASKETT

The CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 2 printed in House Report 114-136.

Ms. PLASKETT. Mr. Chairman, I offer an amendment as the designee of the gentleman from Arizona (Mr. GALLEGOS).

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 13, after line 6, insert the following:

(c) SENSE OF THE CONGRESS.—It is the sense of the Congress that the Commodity Futures Trading Commission should take all appropriate actions to encourage applications for positions in the Office of the Chief Economist from members of minority groups, women, disabled persons, and veterans.

The CHAIR. Pursuant to House Resolution 288, the gentlewoman from the Virgin Islands (Ms. PLASKETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from the Virgin Islands.

Ms. PLASKETT. Mr. Chairman, this amendment is very straightforward. It simply urges the CFTC Office of the Chief Economist to encourage applicants for employment by members of minority groups, women, disabled persons, and veterans.

This is a basic standard that I believe every corporation and Federal agency in America should and is willing to strive to meet. Our government is stronger when its workforce reflects the rich diversity of the American people, and this is especially true when it comes to our financial regulatory agencies.

In the years preceding the financial crash, CFTC and the SEC fell down on the job. Their failures helped set the stage for the crushing recession that followed, an economic downturn that disproportionately impacted communities of color.

In the wake of this crisis, Dodd-Frank wisely established the Offices of Minority and Women Inclusion to promote diversity at the Nation's financial regulators and to ensure that the interests of women and minorities would be protected by these agencies.

I was pleased when, earlier this month, six regulatory bodies came together to announce the creation of joint standards for assessing the diversity practices of the financial institutions they oversee.

Though long overdue, this is a critical step forward that will help to promote a more inclusive financial industry. While CFTC did not participate in crafting these standards, I hope that by passing this amendment today we can send a clear message that Congress expects the agency to demonstrate a strong commitment to diversity and inclusion moving forward.

Mr. Chairman, this amendment is narrowly crafted, but it promotes a far-reaching goal, advancing the fundamentally American principles of equal opportunity for all.

I urge all Members to support this amendment, and I yield back the balance of my time.

Mr. CONAWAY. Mr. Chairman, I claim the time in opposition, but I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CONAWAY. Mr. Chairman, I am not opposed to the amendment, as I said. The CFTC in fact does have an office of diversity and inclusion and has three people employed there to work at this very important issue.

I would like to put in the RECORD a statement from Chairman Massad. He says:

Our greatest resource is our employees, and each of us plays a role in ensuring that we recognize the benefits of the differences and the diversity that we bring to our environment.

The protections provided by the Equal Opportunity Act extend to everything we do at the agency, be it recruitment, hiring, appraisal systems, promotions, training and career development programs, or any other actions . . . All persons should be afforded equal employment opportunities at the Commission in an environment in which they can do their best.

I urge support of the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from the Virgin Islands (Ms. PLASKETT).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. TAKAI

The CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 3 printed in House Report 114-136.

Mr. TAKAI. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 4, strike "and".

Page 15, line 7, strike the period and insert "and".

Page 15, after line 7, insert the following:

"(iii) include a summary of any plan of action and milestones to address any known information security vulnerability, as identified pursuant to a widely accepted industry or Government standard, including—

"(I) specific information about the industry or Government standard used to identify the known information security vulnerability;

"(II) a detailed time line with specific deadlines for addressing the known information security vulnerability; and

"(III) an update of any such time line and the rationale for any deviation from the time line.".

The CHAIR. Pursuant to House Resolution 288, the gentleman from Hawaii (Mr. TAKAI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Hawaii.

Mr. TAKAI. Mr. Chairman, I yield myself such time as I may consume.

My amendment is simple and would help to address cyber vulnerabilities for stored government information at the Commodity Futures Trading Commission.

As the bill is currently written, section 206 would require the Commodity Futures Trading Commission to come up with a 5-year plan on technology acquisition. My amendment would add reporting requirements to Congress on plans of actions and milestones for any known information security vulnerability.

My amendment would include a detailed timeline with specific deadlines for addressing the known threats to make sure we get any threat dealt with and solved in a reasonable amount of time.

Mr. Chairman, we have seen recently that cybersecurity is a serious threat to our security, where just last week the personal information of over 4 million Federal employees was compromised. This was one of the largest known cyber attacks on Federal networks in our history and only further underscores the necessity of this amendment.

As we know, this threat is very real. Networks are being attacked constantly by a variety of different actors and for different reasons. For example, there is evidence that our financial institutions have been targeted, and other actors are out to steal one of the best drivers that we have of our economic growth: intellectual property.

Cybersecurity is a problem that the entire government needs to address. The CFTC will be storing very sensitive information, and they should have a plan to place privacy safeguards on this information when storing government data.

If we are going to discuss budgeting for technology acquisition, we should also be discussing looking at information security vulnerabilities, a plan to address them, and have reporting requirements along the way.

This amendment is common sense, and I urge my colleagues to support its adoption.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Hawaii (Mr. TAKAI).

The amendment was agreed to.

The CHAIR. The question is on the amendment in the nature of the substitute, as amended.

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SMITH of Nebraska) having assumed the chair, Mr. SIMPSON, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, and, pursuant to House Resolution 288, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PETERSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PERMANENT INTERNET TAX FREEDOM ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 235) to permanently extend the Internet Tax Freedom Act.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 235

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Permanent Internet Tax Freedom Act”.

SEC. 2. PERMANENT MORATORIUM ON INTERNET ACCESS TAXES AND MULTIPLE AND DISCRIMINATORY TAXES ON ELEC- TRONIC COMMERCE.

(a) IN GENERAL.—Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151

note) is amended by striking “during the period beginning November 1, 2003, and ending October 1, 2015”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxes imposed after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 235, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

The clock is ticking down on a key law that protects Internet freedom. On October 1, 2015, a temporary moratorium on State taxation of Internet access will expire.

In 1998, Congress temporarily banned State and local governments from newly taxing Internet access or placing multiple or discriminatory taxes on Internet commerce. With minor modifications, this ban was extended five times, with enormous bipartisan support. The most recent extension passed in 2014.

If the moratorium is not renewed, the potential tax burden on consumers will be substantial. The average tax rate on communications services in 2007 was 13.5 percent, more than twice the average rate on all other goods and services. The FCC’s recent reclassification of the Internet as a telecom service emboldens States to apply these telecom taxes to Internet access immediately, should ITFA lapse.

To make matters worse, this tax is regressive. Low-income households pay 10 times as much in communications taxes as high-income households as a share of income.

The Permanent Internet Tax Freedom Act converts the moratorium into a permanent ban—on which consumers, innovators, and investors can permanently rely—by simply striking the 2015 end date.

This legislation prevents a surprise tax hike on Americans’ critical services this fall. It also maintains unfettered access to one of the most unique gateways to knowledge and engines of self-improvement in all of human history.

□ 1645

This is not an exaggeration. During the 2007 renewal of the moratorium, the Judiciary Committee heard testimony that more than 75 percent of the

remarkable productivity growth that increased jobs and income between 1995 and 2007 was due to investment in telecommunications networks technology and the information transported across them.

Everyone in Silicon Valley knows Max Levchin’s story. He came to America from the Soviet Union at age 16. He had \$300 in his pocket, and he learned English by watching an old TV set he hauled out of a dumpster and repaired. Ten years later, he sold PayPal, a well-known Internet payments platform he cofounded, for \$1.5 billion.

That is the greatness of the Internet. It is a liberating technology that is a vast meritocracy. It does not care how you look or where you come from. It offers opportunity to anyone willing to invest time and effort.

That is precisely why Congress has worked assiduously for 16 years to keep Internet access tax-free. Now we must act again, once and for all.

The Permanent Internet Tax Freedom Act has 188 cosponsors. Identical legislation passed last year on suspension by a voice vote.

Nevertheless, small pockets of resistance remain. They argue that the Internet is no longer a fledgling technology in need of protection. But it is precisely the ubiquity of the Internet that counsels for a permanent extension. It has become an indispensable gateway to scientific, educational, and economic opportunities.

It is the platform that turned Max Levchin from an impoverished immigrant into a billionaire. The case for permanent Internet tax-free access to this gateway technology is stronger today than it ever has been.

It is important to note that PITFA does not address the issue of State taxes on remote sales made over the Internet. It merely prevents Internet access taxes and unfair multiple or discriminatory taxes on e-commerce, whether inside the taxing State or without.

That said, the committee is also eager to proceed with legislation that levels the playing field between traditional and online retailers without letting States tax and regulate beyond their borders. Productive discussions continue.

I would like to specifically thank Ms. ESHOO, Mr. CHABOT, Subcommittee Chairman MARINO, and Subcommittee Ranking Member COHEN for their work on and support of this legislation.

This bipartisan legislation is about giving every American unfettered access to the Internet, which is the modern gateway to the American Dream. I urge all of my colleagues to support it, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

We have often worked, in the Judiciary Committee, as Mr. GOODLATTE has so noted, because of the bipartisan leadership, including the offerer of this bill, the gentlewoman from California